

PCT

Docket No.:	PG3614USW
In re:	Anthony Patrick JONES et al
US National Application No.:	09/914,830
US National Filing Date:	
International Application No.:	PCT/EP00/01443
International Filing Date:	January 23, 2000
PCT Notice of Missing Requirements mailed:	October 26, 2001
Title: Medicament Delivery System	

Commissioner for Patents
BOX PCT
Washington, DC 20231
Attn: DO/EO/US

PCT Response to Notification of Missing Requirements under 35 USC 371 in the DO/EO/US

Sirs:

In response to the PCT Notification of Missing Requirements under 35 USC 371 in the DO/EO/US (form PCT/DO/EO/905) mailed to us on **October 26, 2001**, we are faxing the following proof that this requirements was met on **SEPTEMBER 24, 2001**. On that date, we submitted a 2nd transmission to the PCT (DO/EO/US) which included the signed declaration with signatures by inventors Anthony Patrick JONES and Gregor John McLennan ANDERSON. Also included in this transmission was the request to debit our deposit account the \$130.00 late fee.


As proof of submission, I attached the following documents:

- Copy of Form PCT/DO/EO/905 mailed October 26, 2001
- 2nd transmittal papers showing request for \$130.00 to be debit to our account and the returned post card stamped 24 September 2001.
- Copy of the US Declaration/Power of Attorney signed by inventors Anthony Patrick JONES and Gregor John McLennan ANDERSON

We request that the September 24, 2001 date be logged in as the application filing date.

Respectfully submitted,

Date: 8 Nov 2001


James P. RIEK
Attorney of Record 39,009
GlaxoSmithKline.
Corporate Intellectual Property Department
Five Moore Drive, PO Box 13398
Research Triangle Park, NC 27709
Telephone: 919-483-2370
Fax: 919-483-7988

CP Docket No: PG3614USW
 Attorney: JPR
 Paper: ~~N/~~ MISSING REQUIREMENTS
 Due Date: 26 DEC 01
 Deadline: 26 APR 02
 Recorded: PJ

<input type="checkbox"/>		
--------------------------	--	--

U.S. APPLICATION NUMBER NO. 09/914,830	FIRST NAMED APPLICANT Anthony Patrick Jones	ATTY. DOCKET NO. PG3614USW
---	--	-------------------------------

INTERNATIONAL APPLICATION NO.

PCT/EP00/01443

David J. Levy
 GlaxoSmithKline
 Five Moore Drive
 P.O. Box 13398
 Research Triangle Park, NC 27709

RECEIVED

NOV 3 1 2001

I.A. FILING DATE

02/23/2000

PRIORITY DATE

03/06/1999

CONFIRMATION NO. 4156

Global Intellectual Property 371 FORMALITIES LETTER

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100
 OC000000006970274

Date Mailed: 10/26/2001

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Priority Document
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Information Disclosure Statements
- Preliminary Amendments
- Request for Immediate Examination

FAX RECEIVED

FEB 05 2002

GROUP 3700

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- \$130 Surcharge for providing the oath or declaration later than the appropriate 30 months from the priority date (37 CFR 1.492(e)) is required.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130** Late oath or declaration Surcharge.

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

KAREN M WILLIAMS

Telephone: (703) 305-3688

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
09/914,830	PCT/EP00/01443	PG3614USW

POST OFFICE TO ADDRESSEE

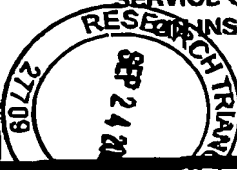


EL395894962US

Customer Copy
Label 11-F July 1997

ORIGIN (POSTAL USE ONLY)	
PO ZIP Code 27709	Day of Delivery <input checked="" type="checkbox"/> First <input type="checkbox"/> Second
Date 9-24-01	Postage \$ 12.45
Time 4:54 PM	Return Receipt Fee
Weight 3 ozs	Int'l Alpha Country Code
No Delivery <input type="checkbox"/> Weekend <input type="checkbox"/> Holiday	Acceptance Clerk Initials WJH
	Total Postage & Fees \$ 12.45

SEE REVERSE SIDE FOR
SERVICE GUARANTEE AND LIMITS
RESEARCH INSURANCE COVERAGE



CUSTOMER USE ONLY METHOD OF PAYMENT Express Mail Corporate Acct. No. X277031202	<input type="checkbox"/> WAIVER OF SIGNATURE (Domestic Only) Additional merchandise insurance is void if waiver of signature is requested. I wish delivery to be made without obtaining signature of addressee or addressee's agent (if delivery employee judges that article can be left unattended) and I authorize that delivery employee's signature constitute valid proof of delivery.
NO DELIVERY <input type="checkbox"/> Weekend <input type="checkbox"/> Holiday	Customer Signature

FROM: (PLEASE PRINT) **PG 3614 USW**
GLAXO WELLCOME INC
GLOBAL INTELLECTUAL PROPERTY
PO BOX 13398
NC 27709-3398

TO: (PLEASE PRINT) **PCT (DOLE/US)**
BOX
ASST COMMISSIONER FOR PATENTS
US PATENT & TRADEMARK OFFICE
WASHINGTON
DC 20531

PRESS HARD.
You are making 3 copies.

FOR PICKUP OR TRACKING CALL 1-800-222-1811 www.usps.gov **EMS**

DOCKET NO.: **PG 3614 USW**
 SERIAL NO.: **35 USC 371 of PCT/EP06/01443**
 TITLE: **Medicament Delivery System**

The date stamp of the Patent Office hereon may be considered as the date on which papers indicated below are received.

- ☐ Application _____ pages _____ claims
- ☐ Abstract
- ☐ Assignment w/Coverletter
- ☐ Drawings (_____ sheets)
- ☒ Declaration/Oath w/Power of Attorney ☐ Unexecuted ☒ Executed
- ☐ Fee Authorization & Deposit Account Copy
- ☐ IDS-Publication Disclosure (37 CFR 1.56) ☐ w/o References ☐ w/References
- ☐ Amendment (_____)
- ☐ Petition for Extension of Time ☐ 1mo ☐ 2mo ☐ 3mo ☐ 4mo
- ☐ Issue Fee Transmittal
- ☐ Notice of Appeal
- ☐ Appeal Brief
- ☐ Req. for Oral Hearing
- ☒ Certificate of Mailing ☒ Express Mail

JCO5 Rec'd PCT/PTO 24 SEP 2001

Express Mail Label
BL395894962US

Mailed 9/24/01

CERTIFICATE OF MAILING . . "EXPRESS MAIL" (37 CFR 1.10)Applicant(s): **Anthony Patrick JONES and Gregor John McLennan ANDERSON**

Docket No.

PG3614USW

Serial No.

371 of PCT/EP00/01443

Filing Date

Examiner

Group Art Unit

Invention:

Medicament Delivery SystemI hereby certify that this **Declaration relating to the 35 USC 371 application PCT/EP00/01443**

(Identify type of correspondence)

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under

37 CFR 1.10 in an envelope addressed to: The Commissioner of Patents and Trademarks, Washington, D.C.

20231-0001 on **September 24, 2001**

(Date)

Elaine Martens

(Typed or Printed Name of Person Mailing Correspondence)

Elaine Martens

(Signature of Person Mailing Correspondence)

EL395894962US

("Express Mail" Mailing Label Number)

Note: Each paper must have its own certificate of mailing.

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371**

PG3614 W

U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR

INTERNATIONAL APPLICATION NO.
PCT/EP00/01443INTERNATIONAL FILING DATE
23 February 2000PRIORITY DATE CLAIMED
March 6, 1999

TITLE OF INVENTION

Medicament Delivery System

APPLICANT(S) FOR DO/EO/US

Anthony Patrick JONES and Gregor John McLennan ANDERSON

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.
4. ☐ The US has been elected by the expiration of 19 months from the priority date (Article 31).
5. ☐ A copy of the International Application as filed (35 U.S.C. 371 (c) (2))
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☐ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).
11. ☐ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☐ A copy of the International Search Report (PCT/ISA/210).

Items 13 to 20 below concern document(s) or information included:

13. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☐ A **FIRST** preliminary amendment.
16. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
17. ☐ A substitute specification.
18. ☐ A change of power of attorney and/or address letter.
19. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
20. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
21. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
22. ☐ Certificate of Mailing by Express Mail
23. ☐ Other items or information:

Express Mail Label

24. The following fees are submitted:

BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)) :

- ☐ Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO \$1000.00
- ☐ International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO \$860.00
- ☐ International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$710.00
- ☐ International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$690.00
- ☐ International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) \$100.00

ENTER APPROPRIATE BASIC FEE AMOUNT =

\$0.00

Surcharge of \$130.00 for furnishing the oath or declaration later than months from the earliest claimed priority date (37 CFR 1.492 (e)).

☐ 20 ☐ 30

\$0.00

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE
Total claims	- 20 =	0	x \$18.00
Independent claims	- 3 =	0	x \$80.00
Multiple Dependent Claims (check if applicable).			<input type="checkbox"/>

\$0.00

\$0.00

\$0.00

TOTAL OF ABOVE CALCULATIONS =

\$0.00

- ☐ Applicant claims small entity status. (See 37 CFR 1.27). The fees indicated above are reduced by 1/2.

\$0.00

SUBTOTAL =

\$0.00

Processing fee of \$130.00 for furnishing the English translation later than months from the earliest claimed priority date (37 CFR 1.492 (f)).

☐ 20 ☒ 30

+

\$130.00

TOTAL NATIONAL FEE =

\$130.00

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable).

☐

\$0.00

TOTAL FEES ENCLOSED =

\$130.00

Amount to be:	\$
refunded	
charged	\$

- a. ☐ A check in the amount of _____ to cover the above fees is enclosed.
- b. ☒ Please charge my Deposit Account No. 07-1392 in the amount of \$130.00 to cover the above fees. A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 07-1392. A duplicate copy of this sheet is enclosed.
- d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

David J. Levy
GlaxoSmithKline
Corporate Intellectual Property
Five Moore Drive, PO Box 13398
Research Triangle Park, NC 27709
Telephone: 919-483-2370
Fax: 919-483-7988



23347

PATENT TRADEMARK OFFICE

SIGNATURE

James P. RIEK

NAME

39,009

REGISTRATION NUMBER

DATE

24 Sept 2001

24. The following fees are submitted:

BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)) :

- ☐ Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO \$1000.00
- ☐ International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO \$860.00
- ☐ International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$710.00
- ☐ International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$690.00
- ☐ International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) \$100.00

ENTER APPROPRIATE BASIC FEE AMOUNT =

\$0.00

Surcharge of \$130.00 for furnishing the oath or declaration later than ☐ 20 ☐ 30 months from the earliest claimed priority date (37 CFR 1.492 (e)).

\$0.00

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	- 20 =	0	x \$18.00	\$0.00	
Independent claims	- 3 =	0	x \$80.00	\$0.00	

Multiple Dependent Claims (check if applicable). ☐

\$0.00

TOTAL OF ABOVE CALCULATIONS =

\$0.00

- ☐ Applicant claims small entity status. (See 37 CFR 1.27). The fees indicated above are reduced by 1/2.

\$0.00

SUBTOTAL =

\$0.00

Processing fee of \$130.00 for furnishing the English translation later than ☐ 20 ☒ 30 months from the earliest claimed priority date (37 CFR 1.492 (d)).

\$130.00

TOTAL NATIONAL FEE =

\$130.00

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable). ☐

\$0.00

TOTAL FEES ENCLOSED =

\$130.00

Amount to be:	\$
refunded	
charged	\$

- a. ☐ A check in the amount of _____ to cover the above fees is enclosed.
- b. ☒ Please charge my Deposit Account No. 07-1392 in the amount of \$130.00 to cover the above fees. A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 07-1392. A duplicate copy of this sheet is enclosed.
- d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

David J. Levy
GlaxoSmithKline
Corporate Intellectual Property
Five Moore Drive, PO Box 13398
Research Triangle Park, NC 27709
Telephone: 919-483-2370
Fax: 919-483-7988

SIGNATURE

James P. RIEK

NAME

39,009

REGISTRATION NUMBER

24 Sept 2001

DATE

FAX



GlaxoSmithKline

To Vonda Wallace
.....
Company USPTO
.....
Fax 9-1-703-305-3230
.....
From Elaine Martens
.....
Tel 919-483-2252
.....
E-mail
.....
Date 08-Nov-2001 Pages Including cover / /
.....
Subject PCT Response to Missing Requirements
.....

GlaxoSmithKline
PO Box 13398
Five Moore Drive
Research Triangle Park
North Carolina 27709

Tel: 919 483 2100
www.gsk.com

FAX RECEIVED
FEB 05 2002
GROUP 3700

Dear Vonda Wallace:

Per our phone conversation today, attached please find our response to the PCT Response to Notification of Missing Requirements.

The information contained in these documents is confidential and may also be privileged and is intended for the exclusive use of the addressee designated above. If you are not the intended recipient or the employee or agent responsible to deliver it to the intended recipient, any disclosure, reproduction, distribution, or any other dissemination or use of this communication is strictly prohibited. If you have received this transmission in error please contact us immediately by telephone so that we can arrange for its return.